

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Pennsylvania

United States of America	)	
v.	)	
ANGEL RAFAEL REYES-VALDEZ	)	Case No. 20-mj-1780
	)	
	)	
	)	
	)	
	)	

\_\_\_\_\_

*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 28, 2020 in the county of Philadelphia in the  
Eastern District of Pennsylvania, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
8 U.S.C. § 1326(a), (b)(2)	Illegal re-entry into the United States after deportation

This criminal complaint is based on these facts:

On October 28, 2020, in Philadelphia, in the Eastern District of Pennsylvania, ANGEL RAFAEL REYES-VALDEZ, an alien, native and citizen of the Dominican Republic, was located in the United States without authorization and having been previously removed from the United States on January 24, 2007, February 7, 2013, and July 15, 2014, in violation of 8 U.S.C. § 1326(a), (b)(2).

☒ Continued on the attached sheet.

/s/ Thomas R. Darmody

\_\_\_\_\_  
*Complainant's signature*

Deportation Officer Thomas R. Darmody, ICE

\_\_\_\_\_  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: 10/30/2020

/s/ Timothy R. Rice

\_\_\_\_\_  
*Judge's signature*

City and state: Philadelphia, Pennsylvania

Hon. Timothy R. Rice, U.S. Magistrate Judge

\_\_\_\_\_  
*Printed name and title*

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AFFIDAVIT

1. I, Thomas R. Darmody, am a Deportation Officer (DO) of the Department of Homeland Security under Immigration and Customs Enforcement (ICE). I have been an Officer with ICE since June of 2005. As part of my duties I conducted investigations related to violations of the Immigration and Nationality Act, specifically foreign-born nationals that have been deported from the United States and subsequently reentered the United States illegally. I am currently assigned to the ICE Enforcement and Removal Operations (ERO) Philadelphia, Pennsylvania Field Office (ICE ERO/PHI) and my duties include investigating violations of Title 8 of the United States Code (“U.S.C”) to include violations of immigration offenses.

2. This affidavit is made in support of a criminal complaint against Angel Rafael Reyes Valdez (“REYES-VALDEZ”), also known as Angel Reyes Valdez, Abel Alberto Nunez, Abel Antonio Alberto Nunez, Angel Rafael Reyes Valdez, Angel Rafael Reyes, Eduar Reyes, Angel R. Reyes Valdez, Eduar Reyes Valdez, Nelson Rodriguez, Nelson Luis Rodriguez, Angel Valdez, Alberto Abel and Eduar, where there is probable cause to believe that REYES-VALDEZ, an alien, re-entered the United States after deportation, in violation of Title 8, United States Code, § 1326(a), (b)(2).

3. On October 28, 2020, your affiant encountered REYES-VALDEZ during an enforcement action near 4243 Hellerman Street, Philadelphia, Pennsylvania 19149. Your affiant conducted a brief telephonic field interview of REYES-VALDEZ. REYES-VALDEZ indicated that he was not a citizen and national of the United States, but that he

was a citizen and national of the Dominican Republic, who was present in the United States without authorization and had been previously removed from the United States.

4. On October 29, 2010, REYES-VALDEZ's fingerprints were submitted to the Department of Justice National Crime Information Center (NCIC) and the Department of Homeland Security Automated Biometric Identification System (IDENT). REYES-VALDEZ's fingerprints matched to NCIC FBI Number: 619368FC6 and IDENT Fingerprint Identification Number (FIN): 18521436.

5. On October 29, 2020, your affiant conducted a check in NCIC for REYES-VALDEZ's criminal history, as well as immigration history. Under the FBI number provided (619368FC6); it was found that REYES-VALDEZ had previous encounters with ICE. Further checks in the Enforcement Alien Removal Module (EARM) were conducted for REYES-VALDEZ's immigration history in the United States. It was found that REYES-VALDEZ had been deported from the United States on January 24, 2007, February 7, 2013, and July 15, 2014.

6. On October 29, 2020, your affiant reviewed the official records maintained by U.S. Citizenship and Immigration Services for the Alien File (A File) pertaining to REYES-VALDEZ. The A File is numbered 097 698 562. These records are maintained in the name of "Angel Rafael Reyes Valdez" and contain this individual's biographical information, family history, records of encounters with ICE, conviction records, photographs and fingerprints. Based on the review of these records, your affiant has concluded that it does in fact pertain to the individual in this matter. The record reflects the following information relative to this individual:

- a. REYES-VALDEZ is a citizen and national of the Dominican Republic and not a citizen of the United States.
- b. REYES-VALDEZ's date of birth is March 21, 1976 and this affidavit and the Complaint to which it is attached correctly reflect REYES-VALDEZ's name.
- c. On June 9, 2005, REYES-VALDEZ was convicted in the United States District Court for the Eastern District of Pennsylvania for violating Title 21, United States Code, Section 846 (conspiracy to distribute 50 grams or more of cocaine base), Title 21, United States Code, Section 841(a)(1) (distribution of 50 grams or more of cocaine base, and distribution of heroin), and Title 21, United States Code, Section 860 (distribution of heroin within 1,000 feet of a school). REYES-VALDEZ was sentenced to 30 months' imprisonment to be followed by 6 years of supervised release.
- d. The United States, pursuant to a "Warrant of Deportation/Removal", removed REYES-VALDEZ on or about January 24, 2007, via Justice Prisoner Alien Transport flight PTE00533 to the Dominican Republic.
- e. REYES-VALDEZ re-entered the United States on an unknown date, and did so without having obtained the advanced permission of the Attorney General of the United States, or his successor, the Secretary of Homeland Security, to reapply for admission. On August 9, 2011, REYES-VALDEZ was encountered by ICE in Philadelphia, Pennsylvania.

f. On July 11, 2012, REYES-VALDEZ was convicted in the United States District Court for the Eastern District of Pennsylvania for violating Title 8, United States Code, Sections 1326(a) and (b)(2) (reentry of deported alien). REYES-VALDEZ was sentenced to 15 months' imprisonment to be followed by 3 years of supervised release.

g. The United States, pursuant to a "Warrant of Deportation/Removal", removed REYES-VALDEZ on or about February 7, 2013, via ICE Air flight 130881 to the Dominican Republic.

h. REYES-VALDEZ re-entered the United States on an unknown date, and did so without having obtained the advanced permission of the Attorney General of the United States, or his successor, the Secretary of Homeland Security, to reapply for admission. On September 5, 2013, REYES-VALDEZ was encountered by the U.S. Border Patrol near Laredo, Texas.

i. On November 7, 2013, REYES-VALDEZ was found to be in violation of his supervised release imposed on July 11, 2012 in the United States District Court for the Eastern District of Pennsylvania. REYES-VALDEZ was sentenced to 10 months' imprisonment on that violation.

j. The United States, pursuant to a "Warrant of Deportation/Removal", removed REYES-VALDEZ on or about July 15, 2014, via an ICE flight to the Dominican Republic.

k. REYES-VALDEZ re-entered the United States on an unknown date, and did so without having obtained the advanced permission of the Attorney

General of the United States, or his successor, the Secretary of Homeland Security, to reapply for admission. On October 28, 2020, REYES-VALDEZ was encountered by ICE in Philadelphia, Pennsylvania.

7. A search of ICE databases revealed that REYES-VALDEZ did not seek permission of the United States Attorney General, or his successor, the Secretary of the Department of Homeland Security, to re-enter as required by 8 U.S.C. 1360(d).

Based on all of the foregoing, your affiant submits that there is probable cause to conclude that ANGEL RAFAEL REYES-VALDEZ has illegally reentered the United States after deportation, in violation of Title 8, United States Code, Section 1326(a), (b)(2), and respectfully requests that the Court issue a warrant ordering his arrest for his commission of this crime.

/s/ Thomas R. Darmody  
Thomas R. Darmody  
Deportation Officer  
Immigration and Customs Enforcement

SUBSCRIBED TO AND SWORN TO BEFORE ME  
THIS 30TH DAY OF OCTOBER, 2020

/s/ Timothy R. Rice  
HON. TIMOTHY R. RICE  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF PENNSYLVANIA